

NOT YET SCHEDULED FOR ORAL ARGUMENT

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Nos. 13-7082, 13-7090, 13-7101, 13-7111

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IN THE UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

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DAVID HARVEY,  
APPELLEE & CROSS-APPELLANT,

v.

DISTRICT OF COLUMBIA,  
APPELLANT & CROSS-APPELLEE.

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ON APPEAL FROM A JUDGMENT OF THE  
UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

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**CONSENT MOTION OF APPELLEE & CROSS-APPELLANT DAVID  
HARVEY TO MODIFY THE BRIEFING SCHEDULE**

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The appellee and cross-appellant David Harvey, with the consent of appellant and cross-appellee District of Columbia, respectfully moves to modify the briefing schedule as follows:

Appellee's & Cross-Appellant's Brief	March 24, 2014
Appellant's Reply & Cross-Appellee's Brief	May 1, 2014
Cross-Appellant's Reply Brief	May 15, 2014
Deferred Appendix	May 22, 2014
Final Briefs	June 5, 2014

In support of this motion, David Harvey states as follows:

1. Undersigned counsel requests an additional forty-five (45) days to file David Harvey's brief because of the press of other litigation and the pendency of several other appellate arguments in the coming weeks. Additionally, after the holiday season, counsel was out of the country for several weeks in January.
2. The District consents to the requested modification of the briefing schedule.
3. The requested extension will not affect the scheduling of oral argument in the Fall.
4. The Court granted the District's two previous requests for extension of time to file the appellant's brief.
5. This is David Harvey's first request for an extension of time.

Accordingly, the appellee and cross-appellant David Harvey, with the consent of appellant and cross-appellee District of Columbia, respectfully requests that the briefing schedule be modified as proposed herein.

Respectfully submitted,

David Harvey, as Personal Representative  
of the Estate of Curtis Suggs  
By Counsel

/s/ Harvey S. Williams

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*/s/ Marc Fiedler*

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Counsel for Appellee/Cross-Appellant

### **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing Consent Motion of Appellee and Cross-Appellant David Harvey to Modify the Briefing Schedule was electronically filed and served this 31<sup>st</sup> day of January, 2014, upon Carl J. Schifferle, Assistant Attorney General, Office of the Attorney General for the District of Columbia, 441 4th St., N.W., Washington, D.C. 20001-2714, Counsel for Appellant and Cross-Appellee the District of Columbia.

*/s/ Harvey S. Williams*

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Harvey S. Williams